

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Cruz v. Price

Cruz · No. 1:18-cv-01360-JLT-CDB (HC) · Decided April 29, 2025

SUMMARY

The United States District Court for the Eastern District of California dismissed Peter Casey Cruz’s petition for a writ of habeas corpus under 28 U.S.C. § 2241 as moot after counsel notified the court that Cruz had died. The court directed the Clerk of Court to close the case.

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF
CALIFORNIA 10 11 PETER CASEY CRUZ, Case No. 1:18-cv-01360-JLT-CDB (HC) 12
Petitioner, ORDER DISMISSING PETITION AS MOOT DUE TO DEATH OF PETITIONER 13
v. 14 BRANDON PRICE, 15 Respondent. 16 17 18 Peter Casey Cruz filed this petition for a writ
of habeas corpus under 28 U.S.C. § 2241 while 19 he was a pretrial detainee in state custody at
Coalinga State Hospital.

(Doc. 1.) The action was 20 transferred to this Court on October 1, 2018. (Doc. 4.) A motion to
dismiss was granted and judgment 21 entered on May 3, 2019. (Docs. 23, 24.) The matter was
remanded in part on April 25, 2022. (Docs. 22 32, 33.) Further proceedings were ongoing when,
on April 27, 2025, counsel for petitioner filed a 23 notice indicating that Mr. Cruz passed away on
April 16, 2025, as evidenced by the attached death 24 certificate.

(Doc. 86.) 25 A habeas petition must be dismissed on mootness grounds when the court can no
longer offer 26 an effective remedy. See *Spencer v. Kemna*, 523 U.S. 1, 7 (1998). A court may
dismiss a habeas 27 petition as moot “when an inmate has passed away during the pendency of a
proceeding and upon 28 receiving a notice or suggestion of death.” *Dellinger v. Mays*, No. 3:09-
CV-104-TAV-DCP, 2023 WL 1 || 2316330, at *2 (E.D.

Tenn. Mar. 1, 2023). This is because the purpose of a petition for a writ of 2 || habeas corpus is
release from custody and a petitioner “who dies is no longer in government custody. 3 || *Hartwell*
v. *United States*, No. 20-3524, 2023 WL 6392754, at *1 (3d Cir. Oct. 2, 2023); see also *Cat 4 || v.*
Lefever, No. 1:23-CV-00087, 2024 WL 3709864, at *1 (S.D.W. Va. May 23, 2024), report and 5 ||
recommendation adopted, No. CV 1:23-00087, 2024 WL 3706612 (S.D.W.

Va. Aug. 7, 2024) 6 || (dismissing habeas petition upon death of petitioner because “[i]n the
context of habeas corpus, a case 7 rendered moot when the inmate is no longer in the custody

being challenged, without collateral 8 || consequences, and the court cannot remedy the inmate's grievance"). 9 Accordingly, the petition is DENIED AS MOOT and the Clerk of Court is directed to 10 || CLOSE THIS CASE.

11 12 || IT IS SO ORDERED. 131 Dated: _ April 29, 2025 Charis [Tourn 14 TED STATES DISTRICT JUDGE 15 16 17 18 19 20 21 22 23 24 25 26 27 28